

VZCZCXRO6657
RR RUEHBZ RUEH DU RUEHMR RUEHRN
DE RUEHLG #0266/01 1381007
ZNY CCCCC ZZH
R 181007Z MAY 09
FM AMEMBASSY LILONGWE
TO RUEHC/SECSTATE WASHDC 0498
INFO RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY COLLECTIVE
RUEHDS/AMEMBASSY ADDIS ABABA 1009
RUEHBZ/AMEMBASSY BRAZZAVILLE 0034
RUEHLO/AMEMBASSY LONDON 0350
RUEKDIA/DIA WASHDC
RHMFISS/HQ USAFRICOM STUTTGART GE
RUEHLMC/MILLENNIUM CHALLENGE CORPORATION WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 03 LILONGWE 000266

SIPDIS

ADDIS FOR USAU

E.O. 12958: DECL: 05/15/2019
TAGS: [PGOV](#) [KDEM](#) [MI](#)
SUBJECT: MALAWI ELECTIONS - GOM AND OPPOSITION PREPARE TO
DISPUTE RESULTS

REF: A. LILONGWE 220 AND PREVIOUS
[1](#)B. 07 LILONGWE 620

LILONGWE 00000266 001.2 OF 003

Classified By: Ambassador Peter Bodde for Reasons 1.4 (b, d)

[1](#)1. (C) Summary: In the final two weeks before Malawi's elections, President Mutharika again denounced donors, claiming UN technical advisors at the Malawi Electoral Commission (MEC) were favoring the opposition. Meanwhile, several state organizations engaged in clearly partisan behavior to favor the ruling party. The Malawi Communications Regulatory Authority (MACRA) purchased campaign material for Mutharika's Democratic Progressive Party (DPP) worth over \$2 million USD. The state radio broadcaster refused to give the opposition airtime, even after the Malawi Electoral Commission (MEC) attempted to purchase the airtime for the parties. MEC was forced to buy airtime on independent radio stations instead. While the MEC said it is ready for the May 19 polling day, the arrival of the ballots caused more controversy. Comment: Both Mutharika and opposition presidential candidate John Tembo appear to be laying the groundwork to challenge the election outcome if it does not go their way. While the MEC's results management system should minimize the risk of vote rigging, the government's continued misuse of state funds to support Mutharika will fuel opposition claims that the election was not fair. End Summary.

BINGU BASHES DONORS AGAIN

[1](#)2. (C) In a nationally broadcast speech during the Presidential Prayer Breakfast, President Mutharika, denounced election donors for trying to run the elections, saying a "large army of experts" was interfering with the MEC's work. Mutharika said he was concerned with the increased role of donors in the day-to-day conduct of the MEC. He also warned that a "parallel tally center" was a violation of Malawi's sovereignty, but did not refer directly to the USG technical assistance to the Malawi Electoral Support Network (MESN). Mutharika said the same donors were behind the chaos that occurred in Kenya and Zimbabwe's recent elections and that their actions left thousands to die. The President went further, accusing donors of trying to influence Malawians to vote for donor-preferred candidates. (Comment: Mutharika failed to acknowledge that donors have paid for over 45% of the MEC's budget so far. Without the work of UN technical advisors, it is doubtful that the MEC could have completed preparations for the upcoming elections, but there have been

personality conflicts with some MEC commissioners. End
Comment.)

MACRA PURCHASES DPP CAMPAIGN MATERIALS, DENIES TV LICENSE

13. (SBU) The Nation newspaper published evidence that the Malawi Communications Regulatory Authority (MACRA) purchased DPP campaign materials worth over \$2 million USD, including posters for the President and all 193 DPP parliamentary candidates. In April, MACRA was caught purchasing Mutharika calendars valued at \$350,000 USD. MACRA employees confirmed the reports, saying they were denied raises to help fund the campaign purchases. Minister of Information and Civic Education, Patricia Kaliati, defended the purchases as part of MACRA's core mandate to provide "civic education" to the people. Kaliati said that it was only right for government organizations to tell people to vote for the sitting president, and said the same thing happened under Muluzi. MACRA also denied the MEC's application for a temporary TV license, saying it did not have the power to give out temporary licenses. MEC had applied for a temporary license to broadcast election results without using the public broadcaster Television Malawi (TVM).

MBC REFUSES PAID OPPOSITION BROADCASTS

14. (SBU) The agreement brokered between the MEC and the state radio station Malawi Broadcasting Corporation (MBC) to grant opposition parties airtime before the election failed amid complaints that MBC has not kept its promise. Despite MEC's offer to pay for the airtime, the Malawi Congress Party (MCP) complained that MBC refused to air its messages at all. The

LILONGWE 00000266 002.2 OF 003

United Democratic Front said it was only offered five minutes a week. The MEC has countered MBC's refusal to sell opposition airtime by purchasing airtime for the parties on private radio stations.

15. (C) A second signal began broadcasting over the signal for Muluzi-owned Joy Radio on May 18, making it impossible to hear Joy Radio clearly. According to MEC and MACRA media monitoring reports, Joy Radio has been as biased toward the UDF as the public broadcasters have been to Mutharika's DPP. Rumors had swirled for several days about the possible "jamming" of the station by the government. The government has tried repeatedly to close down Joy radio (ref B), but Joy's legal appeals have kept the station on the air. In recent days, Joy Radio made unsubstantiated claims about extra ballots in the country and government vote rigging plots.

BALLOTS ARRIVE, CONTROVERSY ENSUES

16. (SBU) On May 6, more than 12 million ballots arrived at Lilongwe's airport from the United Kingdom where they had been printed, but poor logistical planning caused a stir among all parties. Tempers flared after airport handlers told party officials they would not be able to transport the ballots to the designated cargo area because it was too far away for the late hour. Opposition parties appealed to the military to provide security for the ballots, but the Malawi Defense Force refused to get involved. Ultimately, all parties insisted on placing their own security seals around all of the doors to the warehouse to ensure the ballots were safeguarded. The UDF and MCP claimed the government had additional ballots at Chileka Airport in Blantyre, but it was later revealed that the other batch of ballots contained templates for use by the blind.

MEC SAYS IT'S READY

17. (SBU) MEC chairperson Justice Anastasia Msosa told the media that the MEC is ready for polls of May 19. She admitted that the voters roll still had spelling and other errors, but said these minor problems would not prevent anyone from voting. Msosa reiterated that the MEC would supply an alphabetical voters roll as well as a reference roll in voter identification number order to help prevent anyone from being disenfranchised. According to the MEC, approximately 10% of voters may still have minor errors in their registration, but less than 0.5% of the 5.8 million who registered were missing from the rolls. Msosa also confirmed that all polling materials, including all of the ballots, had arrived and would be distributed in plenty of time for the May 19 election.

18. (SBU) Deputy Chief Elections Officer Harris Potani was sent on mandatory leave until after the election. Opposition leaders questioned why such a senior electoral official was absent so close to the elections. Media reports claimed Potani was relieved from his post due to partisan actions. (Comment: Potani is the lone holdover from the Malawi Electoral Commission staff of 2004 and was hired under a UDF government. End Comment)

WELL-KNOWN NGO OPPOSES RUSHED INAUGURATION

19. (SBU) The Public Affairs Committee (PAC), a leading civil society organization, pleaded with the government to not rush the inauguration of the next president. PAC suggested that Malawi take time to adequately digest the results of the election and properly plan an official inauguration ceremony. In 2004, the inauguration of President Mutharika was rushed, further inciting claims that the election had been rigged and the quick inauguration was a ploy to prevent electoral challenges. Media reports stated the government has planned the inauguration for May 23. With results not expected before May 21, the window to legally challenge results may be short.

A TILTED PLAYING FIELD

LILONGWE 00000266 003.2 OF 003

110. (C) COMMENT: The opposition can legitimately claim that the unabashedly partisan state media have given the DPP an advantage. Independent media has been more than fair to the opposition, but many argue that is not enough to balance MBC's national coverage. The MEC, aware of the state media's bias, has already contracted with Zodiac Broadcasting, the largest and most balanced independent radio station, to be the carrier of the official results. Mutharika's further use of government funds for his campaign has also allowed him to hold more rallies than any other candidate and produce more campaign materials. In addition to the reported abuse of government funds, independent presidential candidate James Nyondo continues to claim that the government has illegally seized his campaign funds for its own use.

BOTH SIDES PREPARING TO CHALLENGE RESULTS

111. (C) COMMENT CONTINUED: Mutharika's outbursts on foreign technical advisors at the MEC are disconcerting. Ironically, the controls that technical advisors have put in place - serial numbered ballots, computerized voters roll, and real-time reporting of results to all media outlets - should make it difficult for either side to claim the voting process itself was rigged. It is clear from the rhetoric, however, that both sides are already laying the groundwork to dispute the election's outcome. The main reason the opposition has not objected more strenuously to the GOM's unfair advantages so far is that Tembo and Muluzi believe they can beat Bingu anyway. End Comment.

BODDE